REMARKS

Claim 1 has been amended, claim 2 has been canceled and new claims 22-25 have been added. More particularly, claim 1 has been amended to include the limitations of canceled claim 2. Hence, claims 1 and 3-25 are pending in the application. Support for new claims 22-25 is found in the specification and figures , for example at page 13 lines 13 to 33, and page 16 lines 9 to 20.

Claims 1, 7-13 and 16-19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Fletcher et al. (U.S. Reg. H1836). Claims 3-6, 14-15 and 20-21 have been rejected under U.S.C. § 103(a) as being unpatentable over Fletcher et al. in view of Sallberg (U.S. Pub. 2001/0043588). Applicant respectfully requests reconsideration of these claims.

Claim 1, as now amended, provides that "communication traffic among the transceivers and the software functional blocks is load-balanced to provide increased efficiency." Fletcher does not disclose, teach or suggest that communication traffic among the transceivers and the software functional blocks is load-balanced to provide increased efficiency.

Contrary to the Examiner's assertion, col. 3, lines 40-58 of Fletcher does not disclose that communication traffic *among* the transceivers and the software functional blocks is load-balanced to provide increased efficiency. Fletcher discloses on col. 3, lines 50-58:

> Integration of transcoding and rate adaption functions in the telecommunications system significantly enhances the efficiency of the signals passed to and from the telecommunications system. That is, by such integration, multiple radio traffic channels can be compressed within a single digital channel carried over a link from the based stations to the telecommunications system. As a result, the number of links connected to the telecommunications system is significantly decreased.

Thus, Fletcher discloses increasing efficiency by *compressing* multiple radio traffic channels within a single digital channel, which decreases the number of links connected to the telecommunications system. In contrast, the invention of claim 1 increases efficiency by balancing the load of the communications traffic *among* the transceivers and the software functional blocks, which more evenly distributes the communication traffic *among* the transceivers and the software functional blocks. Because Fletcher does not disclose, teach or suggest that communication traffic among the transceivers and the software functional blocks is load-balanced to provide increased efficiency, claim 1 is not anticipated by Fletcher and is therefore patentable.

Claims 3-6 depend from claim 1. Like Fletcher, Sallberg fails to disclose, teach or suggest that communication traffic among the transceivers and the software functional blocks is load-balanced to provide increased efficiency. Therefore, claims 3-6 are not rendered obvious by Fletcher in view of Sallberg.

Claims 7-9 depend from claim 10 and are therefore patentable for at least the reasons given for claim 10.

Claim 10 provides that "communication traffic among the base transceiver stations, the base station controllers and the mobile switching center is load-balanced for efficiency." Balancing the load of the communication traffic *among* the base transceiver stations, the base station controllers and the mobile switching center increases efficiency by more evenly distributing the communication traffic *among* the base transceiver stations, the base station controllers and the mobile switching center. This enables, among other things, for communication traffic from the base transceiver stations to be re-directed from base station controllers that are overloaded to base station controllers with available bandwidth.

Fletcher does not disclose, teach or suggest that communication traffic among the base transceiver stations, the base station controllers and the mobile switching center is load-balanced for efficiency. Contrary to the Examiner's assertion, col. 3, lines 7-59 of Fletcher does not disclose that communication traffic among the base transceiver stations, the base station controllers and the mobile switching center is load-balanced for efficiency. More particularly, col. 3, lines 7-25 of Fletcher discloses integrating a radio controller, such as a base station controller, and a switching center, such as a mobile switching center, in a telecommunications system, and col. 3, lines 26-40 discloses advantages of integrating the radio controller with the switching center. However, nowhere does col. 3, lines 7-40 of Fletcher disclose load balancing communication traffic *among* the base transceiver stations, the base station controllers and the mobile switching center. Furthermore, col. 3, lines 40-58 of Fletcher does not disclose load balancing communication traffic *among* the base transceiver stations, the base station controllers and the mobile switching center for reasons similar to the ones given with respect to claim 1. Because Fletcher does not disclose, teach or suggest that communication traffic among the base transceiver stations, the base station controllers and the mobile switching center is load-balanced for efficiency, claim 10 is not anticipated by Fletcher and is therefore patentable.

Claims 11-13 depend from claim 10 and are therefore patentable for at least the reasons given for claim 10.

Claim 14 depends from claim 10. Like Fletcher, Sallberg fails to disclose, teach or suggest that communication traffic among the base transceiver stations, the base station controllers and the mobile switching center is load-balanced for efficiency. Therefore, claim 14 is not rendered obvious by Fletcher in view of Sallberg.

Claim 16 provides that "the communicating steps include communicating network traffic among the network elements is load-balanced for efficiency." Fletcher does not disclose, teach or suggest communicating network traffic among the network elements is load-balanced for efficiency.

Claims 17-19 depend from claim 16 and are therefore patentable for at least the reasons given for claim 16.

Claims 20-21 depend from claim 16. Like Fletcher, Sallberg fails to disclose, teach or suggest communicating network traffic among the network elements is load-balanced for efficiency. Therefore claims 20-21 are not rendered obvious by Fletcher in view of Sallberg.

New claims 22 and 23 depend from claim 1 and are therefore patentable for at least the reasons given for claim 1 and by reason of the additional limitations called for therein. For example, claim 22 is additionally patentable by providing that "the network is selected from a group comprising internet protocol (IP) networks and the network routes communication traffic between the transceivers and the software functional blocks." Sallberg does not disclose, teach or suggest an internet protocol (IP) network that routes communication traffic between the transceivers and the software functional blocks.

New claims 24 and 25 depend from claim 10 and are therefore patentable for at least the reasons given for claim 10 and by reason of the additional limitations called for therein. For example, claim 24 is additionally patentable by providing that "the network is selected from a group comprising internet protocol (IP) networks and the network routes communication traffic between the base transceiver stations and the base station controllers." Sallberg does not disclose, teach or suggest an internet protocol (IP) network that routes communication traffic between the base transceiver stations and the base station controllers.

Applicant respectfully submits that the present application is now in condition for allowance, and a Notice of Allowance is respectfully requested. If any matters can be handled

by telephone, Applicant requests that the Examiner telephone Applicants' attorney at the number below. The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-2319 (Order No. A-65029/MSS (467282-32)).

Respectfully submitted,

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